

**[Tentative Rulings for May 1, 2023 Probate Calendar**

**Judge Kelly V. Simmons  
Department J**

**Judge Mark A. Talamantes  
Department L**

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**APPEARANCES MAY BE MADE  
IN PERSON  
OR ON ZOOM.**

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**Any person who wishes to make an appearance to contest the tentative  
ruling must inform the other parties and the Probate Research Attorney  
by 4:00 PM on Friday (MCR 5.2 D).**

**There is no need to inform the Court of your intent to appear if the  
tentative ruling requires an appearance.**

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**Probate Research Attorney:**

**Trudy Verzosa**

**E-mail: [trudy.verzosa@marin.courts.ca.gov](mailto:trudy.verzosa@marin.courts.ca.gov) (preferred)**

**Tel: (415) 444-7315**

Judge Kelly V. Simmons  
Department J  
9:00 Calendar

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**PRO002567    ANGELINE JANETTE ESTERHELD, IN THE MATTER OF**

Petition for approval and settlement of final account; for approval of compensation to trustees; and for final distribution filed by Douglass Detweiler and Christine Detweiler.

Ruling. **Continued to July 3, 2023 at 9:00 to be heard with Cross-Petition.**

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**PRO060171    ELENA BARAJAS SPECIAL NEEDS TRUST, TRUST OF**

For approval and settlement of sixth and seventh accounts and report of trustee filed by Dana M. Conklin.

Ruling. **Appearance is required** for status on Petitioner's response to issues re public benefits and bond raised by the Court at the 1/9/23 hearing.

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**PRO1604636    IN RE THE JAMIE ESCAMILLA, JR. SPECIAL NEEDS TRUST, TRUST OF**

Discuss the role of the newly appointed guardian ad litem.

Ruling. **Appearance is required.**

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**PRO1804141    SANDRA RAE NEWTON SLOCUM, ESTATE OF**

Motion to withdraw as attorney of record filed by Taniya Howe.

Ruling. **Appearance is required.**

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**PRO2002412    IN RE ROBERT D. WOLFE LIVING TRUST AS AMENDED AND RESTATED, TRUST OF**

1. Discussion of Rescheduling September Trial Dates.

Ruling. **Appearance is required.**

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**PRO2100224    IN RE CARL E. JACOBSON TRUST, ESTABLISHED JULY 14, 1992, AS AMENDED, TRUST OF**

1. Motion to Compel Petitioner's Further Written Responses to Respondent Julia Ratto's Request for Production of Documents, Set One; and Monetary Sanctions, filed by Julia Ratto and Anita Francisco.

Ruling. **Appearance is required.**

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**PRO2100945 IN RE THE LARRY AND JEAN MARKS REVOCABLE TRUST DATED MAY 22, 1978, TRUST OF**

For court order approving settlement agreement filed by Kim F. Marks and Peter R. Marks.

Ruling. Off calendar. The original May 22, 2023, date is reinstated for approval of settlement agreement.

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**PRO2103377 LOUIS HUERTO-ROJO, ESTATE OF**

Status report of administration and petition for approval of continuation of administration of estate filed by Kim Schwarcz.

Ruling. Absent objections, the Status Report is **accepted and approved**.

- Administrator is to file either: (1) a Petition for Final Distribution; or (2) a Further Report on Status of Administration no later than September 30, 2023, as required by Prob. C. §§ 12200 & 12201.
- A hearing shall be set on October 23, 2023 at 10:00 for either: (1) hearing on the Petition/Report; or (2) explanation as to why it was not timely filed.

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**PRO2104019 IRENE MARY RICHARDSON, ESTATE OF**

First and final report of administrator with will annexed and petition for settlement and approval; for (1) allowance of statutory attorney's compensation, and (2) final distribution filed by Brenden P. Brewer.

Ruling. **Appearance is required.** Please be prepared to discuss the following:

1. The 4/3/23 Minute Order requested a certified copy of Letters to confirm that Jenny Gill is the Executor of the Estate of Robert Gill.
2. On 4/6/23, Petitioner filed a copy of Robert Gill's Will, but nothing to confirm that his Will was ever admitted to probate or that Jenny Gill is the appointed executor.
3. Robert's share must be distributed to one of the following (Prob. C. § 11802):
  - a. The personal representative of his estate (Prob. C. § 11802(a))
  - b. His successor-in-interest pursuant to a 13100 Declaration (Prob. C. § 11802(c)); or
  - c. His surviving spouse pursuant to a spousal property petition (Prob. C. § 11802(c)).

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**PRO 2104030 Julius M. Tappe and Dorothy J. Tappe, 1991 Trust of (Master File)**  
**PRO 2202651 Julius M. Tappe and Dorothy J. Tappe, 1991 Trust of**

Status of Mediation and Settlement, Setting of Future Dates

Underlying Petition. Co-Trustees' Petition for Order Approving and Settling Account, filed for Steven M. Tappe and Linda T. Spegar on 11/24/21

Ruling. **Appearance is required.**

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**PRO2200120 FRANCES LAURA KELLY, ESTATE OF**

- 1) First account and report of status of administration of estate and response to order to show cause filed by Edith Kelly Politis.
- 2) Failure to appear by [petr] Edith Kelly Politis on March 20, 2023.

Ruling. Absent objections, the Status Report is **accepted and approved**.

- Administrator is to file either: (1) a Petition for Final Distribution; or (2) a Further Report on Status of Administration no later than August 31, 2023, as required by Prob. C. §§ 12200 & 12201.
- A hearing shall be set on October 23, 2023 at 10:00 for either: (1) hearing on the Petition/Report; or (2) explanation as to why it was not timely filed.

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**PRO2200548 CHETANA J. KAREL, ESTATE OF**

Status Report of Administration, filed for James F. Karel on 2/16/23.

Ruling. Absent objections, the Status Report is **accepted and approved**.

- Administrator is to file either: (1) a Petition for Final Distribution; or (2) a Further Report on Status of Administration no later than September 30, 2023, as required by Prob. C. §§ 12200 & 12201.
- A hearing shall be set on September 18, 2023 at 10:00 for either: (1) hearing on the Petition/Report; or (2) explanation as to why it was not timely filed.

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**PRO2201181 IN RE THE CAROL JOSEPHINE SLATTERY REVOCABLE INTERVIVOS TRUST, TRUST OF**

Status Conference: Review of Accounting by Successor Trustee & Set Further Proceedings

Underlying Petition. Verified Petition to Remove Trustee and Appoint a Successor Trustee; for a Trust Accounting; to Remove Attorney-in-Fact and Appoint a Successor; for an Accounting of the Personal Assets of Carol Slattery; to Modify the Carol Slattery Last Will and Testament of Carol Slattery, filed for Jeffery M. Slattery on 4/28/22

Ruling. **Appearance is required.**

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**PRO2202622 BARBARA MARY ANDERSON ZANETICH, ESTATE OF**

Final distribution on waiver of accounting filed by William N. Zanetich.

Ruling. Absent objections, this Petition will be **granted without hearing**.

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**PRO2202687 DIANA A. SANTI, ESTATE OF**

Report of executor on waiver of account and petition for final distribution filed by Mario A. Santi.

Ruling. Absent objections, this Petition will be **granted without hearing**.

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**PRO2203964 IN RE THE MASON P. KREIS SPECIAL NEEDS TRUST, TRUST OF**

To approve first account and report of trustee filed by Donna Stapleton.

Ruling. Absent objections, the account and report is approved, however the Court will not approve anticipatory fees for estimated future services.

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**PRO2204243 IN RE THE JANET WHITTLE 1992 TRUST DATED JULY 8, 1992, TRUST OF**

For order accepting resignation of trustee; to appoint and instruct successor trustee; and authorize petitioner to hold a reasonable reserve filed by Bank of Marin.

Ruling. **Continued to June 20, 2023 at 9:00,** to allow time for 30 days' notice of Amended Petition.

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**PRO2300092 IN RE THE BARTON H. COUNCIL 2022 TRUST UDT MARCH 28, 2022**

For order confirming assets as belonging as trust property of The Barton H. Council 2022 Trust filed by Richard W. Roman.

Ruling. **Continued to June 20, 2023 at 9:00.** This Petition requires 30 days' notice; the POS filed (late) on 4/27/23 shows that only 19 days' notice was provided. Please file a POS confirming that at least 30 days' notice of the 6/20/23 hearing date was given to all interested parties.

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**PRO2300337 IN RE THE LAVERNE CAROLE NELSON 2019 TRUST, TRUST OF**

For instructions regarding refusal of decedent's son to accept inheritance and disposition of son's forfeited inheritance under terms of the trust filed by Kim Schwarcz.

Ruling. **Appearance is required.**

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**PRO2300529 IN THE MATTER OF THE JAMES AND BARBARA SMITH REVOCABLE LIVING TRUST, TRUST OF**

To determine the existence of a trust and construction of the instrument filed by Linda M. Redding.

Ruling. **Appearance is required.** Please be prepared to discuss the following:

1. The Petition states that the principal place of administration is in Sonoma (p. 9). Is venue proper in Marin?
2. Pursuant to § 17200.1, this Petition should have been brought under § 850. As such, the notice requirements of §851 must be met.
  - a. Who are Trustor's heirs?
  - b. All heirs must receive notice on DE-115.
  - c. Any heir who is not a beneficiary of the Trust must receive notice in the manner set forth in , CCP § 413.10, et seq. (Prob. C. § 17203(b)).
3. The Court cannot determine the existence of this Trust without specific legal authority and factual allegations.

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**PRO2300574    JEFFEREY EHLENBACH, ESQ., ESTATE OF**

Petition for order appointing practice administrator filed by Laurie J. Sheldon.

Ruling. Absent objections, this Petition will be **granted without hearing.**

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**PRO2300660    IN THE MATTER OF MATSON AND DEPUE LIVING TRUST U/A DATED JULY 23, 2020, TRUST OF**

Petition to establish trustee's claim of ownership to personal property and for order confirming its transfer to trustee filed by Dru A. Parker.

Ruling. Absent objections, this Petition will be **granted without hearing.**

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**PRO2300688    IN THE MATTER OF JAMES D. HUGHES, ESTATE OF**

For order designating successor custodian filed by Shoko Hughes.

Ruling. Absent objections, this Petition will be **granted without hearing.**

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**PRO2300714    NADINE LOVERIDGE, ESTATE OF**

For letters of administration filed by Lisa Loveridge.

Ruling. Absent objections, this Petition will be **granted without hearing.**

- A status hearing for the filing of the Final Inventory and Appraisal shall be set for August 5, 2023, at 10:00.
- Either: (1) a Petition for Final Distribution; or (2) a Report on Status of Administration shall be filed by May 1, 2024, as required by Prob. C §§ 12200 & 12201.
- A hearing shall be set on May 19, 2024, at 10:00 for either: (1) hearing on the Petition/Report; or (2) explanation as to why it was not timely filed.

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**PRO2300717    RONALD RICHARD JARAGOSKY, ESTATE OF**

For letters of administration filed by Marin County Public Administrator.

Ruling. Absent objections, this Petition will be **granted without hearing.**

- A status hearing for the filing of the Final Inventory and Appraisal shall be set for August 5, 2023, at 10:00.
- Either: (1) a Petition for Final Distribution; or (2) a Report on Status of Administration shall be filed by May 1, 2024, as required by Prob. C §§ 12200 & 12201.
- A hearing shall be set on May 19, 2024, at 10:00 for either: (1) hearing on the Petition/Report; or (2) explanation as to why it was not timely filed.

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**PRO2300730 ANTOINETTE BRUMBAUGH, ESTATE OF**

Petition for probate of will and for letters testamentary filed by Kathy Chestnut and Mechanics Bank.

Ruling. Absent objections, this Petition will be **granted without hearing**.

- A status hearing for the filing of the Final Inventory and Appraisal shall be set for August 5, 2023, at 10:00.
- Either: (1) a Petition for Final Distribution; or (2) a Report on Status of Administration shall be filed by May 1, 2024, as required by Prob. C §§ 12200 & 12201.
- A hearing shall be set on May 19, 2024, at 10:00 for either: (1) hearing on the Petition/Report; or (2) explanation as to why it was not timely filed.

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**PRO2300892 CHRISTEL MARTIN, ESTATE OF**

Petition for probate of will and for letters testamentary filed by Barbara A. Martin.

Ruling. **Appearance is required.**

1. Did Robert Martin have surviving issue? If so, they must receive or waive proper notice.
2. Did Decedent's spouse predecease her? If not, who is the successor-in-interest to the spouse's share?
3. Does Decedent have any unsecured creditors in California? If so, what is the amount of this debt? Bond may be required in this amount even if the interested parties waive bond (Prob. C. § 8571; CRC 7.201(b)).

*If granted at hearing:*

- A status hearing for the filing of the Final Inventory and Appraisal shall be set for August 5, 2023, at 10:00.
  - Either: (1) a Petition for Final Distribution; or (2) a Report on Status of Administration shall be filed by May 1, 2024, as required by Prob. C §§ 12200 & 12201.
  - A hearing shall be set on May 19, 2024, at 10:00 for either: (1) hearing on the Petition/Report; or (2) explanation as to why it was not timely filed.
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Judge Kelly V. Simmons  
Department J  
10:00 Calendar

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**PRO2103104 JOHN P. TOPHAM, ESTATE OF**

Final distribution/report on status of administration.

Ruling. **Off calendar.** Petition for Final Distribution has been filed.

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**PRO2200154 ROSA DANIELS, ESTATE OF**

Final distribution/report on status of administration.

Ruling. **Appearance is required.**

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**PRO2200394 BARBARA R. CORRIGAN, ESTATE OF**

Final distribution/report on status of administration.

Ruling. **Appearance is required.**

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**PRO2200487 JOSEPH JAMES PECCORINI, ESTATE OF**

1. Final inventory and appraisal.
2. Final distribution/report on status of administration.

Ruling.

1. Final I&A. **Off calendar** – final I&A was filed on 4/20/23.
2. Final Distribution/Report on Status. **Appearance is required.**

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**PRO2200558 JACLYN GLADYS MENOR, ESTATE OF**

Final distribution/report on status of administration.

Ruling. **Appearance is required.**

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**PRO2203127 CAROL MARIE BUDDS, ESTATE OF**

- 1) OSC For failure by petitioner's attorney to file final inventory and appraisal.
- 2) OSC For failure to appear by attorney Eric Gullotta on March 20, 2023.

Ruling. **Appearance is required.**



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**PRO2203244 GLORIA KATHLEEN DICKERSON, ESTATE OF**

- 1) OSC For failure by petitioner's attorney to file final inventory and appraisal
- 2) OSC For failure to appear by attorney Eric Gullotta on March 20, 2023.

Ruling. **Off calendar. OSC is discharge.**

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**PRO2203395 WILLIAM BRUCE MCKOWN, ESTATE OF**

Filing of final inventory and appraisal.

Ruling. **Appearance is required.**

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Judge Kelly V. Simmons  
Department J  
1:30 Calendar

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**PRO2300020    EZRA M. COLE, LIMITED CONSERVATORSHIP OF THE PERSON**

Limited conservatorship of the person filed by Ricky F. Cole and Made Karsini.

Ruling. **Appearance is required.**

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**PRO2300169    ELIZA BROWN-LEWIN, LIMITED CONSERVATORSHIP OF THE PERSON**

For appointment of limited conservator of the person filed by Elizabeth A. Brown and Janet T. Lewin.

Ruling. **Appearance is required.**

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**PRO2300255    ROMAN ALESSANDRO DELUCCHI, CONSERVATORSHIP OF THE PERSON AND ESTATE**

Conservatorship of the person/estate; limited.

Ruling. **Appearance is required.**

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**PRO2300354    CESAR OVIDIO CHIRO Y ICHICH, GUARDIANSHIP OF THE PERSON**

Petition for appointment of guardian of the person filed by Cesar Ovidio Chiroy Ichich.

Ruling. **Continued to June 5, 2023 at 1:30.** Parents must receive or waive notice of Petitions.

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**PRO2301055    LEONID SHTEYN, IN RE THE MATTER OF**

For appointment of temporary conservator filed by Elena Shteyn and Irina Gordon.

Ruling. **Appearance is required.**

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Judge Mark A. Talamantes  
Department L  
1:30 Calendar

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**PRO2300380 TITO FERNANDO MARTINEZ HERRERA, GUARDIANSHIP OF THE PERSON**

1. Petition for Appointment of Guardian of Minor
2. Petition for Special Immigrant Juvenile Findings

Ruling. Absent objections, these Petitions will be **granted without hearing.**

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